

VIRGINIA:

*In the Supreme Court of Virginia held at the Supreme Court Building in the
City of Richmond on Friday the 16th day of January, 2009.*

In Re: Judy L. Worthington, Clerk of Circuit Court
of the County of Chesterfield, Petitioner

Record No. 082406

Upon a Petition for a Writ of Prohibition or Mandamus

Upon consideration of the pleadings filed herein, the Court holds that prohibition does not lie, In Re: Commonwealth's Attorney for the City of Roanoke, 265 Va. 313, 316-17, 576 S.E.2d 458, 461 (2003), and mandamus does not lie, In Re: Robert F. Horan, Jr., 271 Va. 258, 258-61, 634 S.E.2d 675, 675-77 (2006) and In Re: Commonwealth's Attorney, 265 Va. 313, 317-19, 576 S.E.2d 458, 461-62 (2003). Accordingly, no writ shall issue and the petition is dismissed. The respondent shall recover costs expended for his defense herein.

Respondent's costs:

Attorney's fee \$50.00

A Copy,

Teste:

Judy L. Worthington

Clerk